

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ARMONI MASUD JOHNSON,

No. 4:18-CV-00807

Plaintiff,

(Judge Brann)

v.

(Magistrate Judge Mehalchick)

WALTER KOEHLER, *et al.*,

Defendants.

ORDER

SEPTEMBER 10, 2020

Plaintiff filed the instant action on April 13, 2018, and it was jointly assigned to the undersigned and to a magistrate judge. Upon designation, a magistrate judge may “conduct hearings, including evidentiary hearings, and . . . submit to a judge of the court proposed findings of fact and recommendations.”¹ Once filed, this report and recommendation is disseminated to the parties in the case who then have the opportunity to file written objections.²

On June 11, 2020, Magistrate Judge Karoline Mehalchick, to whom this matter is jointly assigned, issued a thorough report and recommendation recommending that Plaintiff’s amended complaint be dismissed with prejudice,

¹ 28 U.S.C. 636(b)(1)(B).

² 28 U.S.C. 636(b)(1).

that final judgment be entered in favor of Defendants, and that the Clerk of Clerk be directed to close this case.

Plaintiff filed objections to the report and recommendation on June 15, 2020 and on June 23, 2020. When objections are timely filed, the District Court must conduct a de novo review of those portions of the report to which objections are made.³ Although the standard of review for objections is de novo, the extent of review lies within the discretion of the District Court, and the Court may otherwise rely on the recommendations of the magistrate judge to the extent that it deems proper.⁴ For portions of the report and recommendation to which no objection is made, the Court should, as a matter of good practice, “satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”⁵ Regardless of whether timely objections are made by a party, the District Court may accept, not accept, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.⁶

³ 28 U.S.C. § 636(b)(1); *Brown v. Astrue*, 649 F.3d 193, 195 (3d Cir. 2011).

⁴ *Rieder v. Apfel*, 115 F. Supp. 2d 496, 499 (M.D. Pa. 2000) (*citing United States v. Raddatz*, 447 U.S. 667, 676 (1980)).

⁵ Fed. R. Civ. P. 72(b), advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F. Supp. 2d 465, 469 (M.D.Pa. 2010) (*citing Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that judges should give some review to every report and recommendation)).

⁶ 28 U.S.C. § 636(b)(1); Local Rule 72.31.

Because I write solely for the parties, I will not restate the facts, but will instead adopt the recitation of facts as set forth by the magistrate judge. I have conducted a de novo review here and found no error.

AND NOW, IT IS HEREBY ORDERED that:

1. Magistrate Judge Karoline Mehalchick's June 11, 2020 Report and Recommendation, Doc. 40, is **ADOPTED in full**.
2. Plaintiff Armoni Masud Johnson's Amended Complaint, Doc. 32-1, is **DISMISSED WITH PREJUDICE**.
3. Final judgment is entered in favor of Defendants.
4. The Clerk of Court is directed to **CLOSE** the case file.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge